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17119 U.S. PTO

PATENT
Docket No.: P-8609.04 US

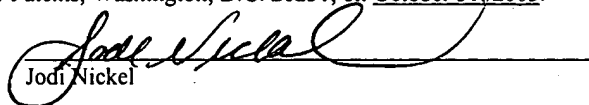
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Derek J. Harper et al.
Title: Hydrophobic Vent Incorporated Into Cerebral Spinal Fluid Drainage Chamber

22154 U.S. PTO
10/698247

103103

Certificate Under 37 CFR § 1.10: I hereby certify that this document and the documents referred to as enclosed herewith are being deposited with the United States Postal Service, in an "EXPRESS MAIL POST OFFICE TO ADDRESSEE" envelope, as Express Mail Label No. EV331790973US, addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231, on October 31, 2003.


Jodi Nickel

CONTINUING APPLICATION TRANSMITTAL LETTER

Box Patent Application
Assistant Commissioner for Patents
Washington D.C. 20231

This is a request for filing a:

☐ Continuation ☒ Divisional

application under 37 CFR 1.53(b), of pending prior Application No. 09/266,674, filed March 11, 1999, for Hydrophobic Vent Incorporated Into Cerebral Spinal Fluid Drainage Chamber, by inventors Derek J. Harper, Jeffrey A. Vasek and Paul S. Vaskelis. Prior Application Information: Examiner Kevin C. Simons, Group Art Unit: 3735. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

- ☐ Amend the Specification by inserting before the first line the sentence: This application is a ☐ continuation ☐ divisional of prior Application No. _____, filed _____, which in turn is a _____.
- ☐ Enter the unentered amendment previously filed on _____.
- ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one of the original independent claims must be retained for filing purposes).

| FEE CALCULATION | No. Claims Filed | No. Claims Included in Base Fee | No. Extra Claims | Rate | Fee |
|---------------------------|------------------|---------------------------------|------------------|------------|-----------|
| Total Claims | 12 | - 20 = | -0- | x \$18.00 | \$ -0- |
| Independent Claims | 2 | - 3 = | -0- | x \$86.00 | \$ -0- |
| Multiple Dependent Claims | | | | + \$290.00 | \$ -0- |
| Basic Filing Fee | | | | | \$ 770.00 |
| TOTAL | | | | | \$ 770.00 |

Enclosed for filing in the above-identified application are the following:


- ☐ Application Data Sheet (37 CFR 1.76)
- ☒ Patent Application
 - ☐ Copy of prior specification (Specification (pg.), Claims (pg.) and Abstract (1 pg.))
 - ☒ Substitute specification including no new matter (Specification (7 pg.), Claims (2 pg.) and Abstract (1 pg.))
- ☒ Drawings (3 pg., containing Figs. 1-8): ☒ Formal ☐ Informal
- ☒ Combined Declaration and Power of Attorney
 - ☐ Newly Executed
 - ☒ Copy From Prior Application (37 CFR 1.63(d))
 - ☐ **Deletion of Inventor(s)** – signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))
 - ☒ **Incorporation by Reference** – *The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied above is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.*
- ☐ Preliminary Amendment
- ☒ Assignment
 - ☐ Assignment of the invention to _____, Cover Sheet and Recordal Fee
 - ☐ Statement Under 37 CFR 3.73(b)
 - ☒ The prior application is assigned of record to: Medtronic, Inc. and recorded at Reel 9932, Frame 0223.
- ☐ Information Disclosure Statement
 - ☐ PTO-1449
 - ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
 - ☐ Conditional Petition for Extension of Time in the prior application
- ☐ Nonpublication Request Under 35 USC 122(b)(2)(B)(i).
- ☒ Return Receipt Postcard

- ☒ Address all future correspondence to: Thomas F. Woods
Registration No. 36,726
MEDTRONIC, INC.
710 Medtronic Parkway NE, MS: LC340
Minneapolis, MN 55432-5604
Telephone: 763-505-0003
Facsimile: 763-505-0411
Customer No.: 27581

- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 13-2546 in the amount of \$770.00 for the application filing fee, \$_____ for the assignment recordal fee and \$_____ for the petition fee for a **total of \$770.00**. A duplicate of this Transmittal Letter is enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiencies which may be required under 37 CFR 1.16 and 1.17, or to credit any overpayments to Deposit Account No. 13-2546. A duplicate of this Transmittal Letter is enclosed.

Respectfully submitted,

Date: October 31, 2003



Thomas F. Woods
Registration No. 36,726
MEDTRONIC, INC.
710 Medtronic Parkway NE, MS: LC340
Minneapolis, MN 55432-5604
Telephone: 763-505-0003
Facsimile: 763-505-0411
Customer No.: 27581